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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,781	02/04/2004	Michael J. Franz	9507	5159

27752 7590 03/30/2005

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

EXAMINER

DAVIS, OCTAVIA L

ART UNIT PAPER NUMBER

2855

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/771,781	Applicant(s) FRANZ ET AL.	
	Examiner Octavia Davis	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/4/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 7, 11, 13, 14 and 18 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Franz.

Regarding claims 1 and 6, Franz discloses a method of controlling tension in a web comprising determining a first and a second web tension analog value of a moving web 10 material in a first span utilizing a controller 60, determining a first and a second web-velocity-analog value of the moving web material in the first span utilizing the controller 60 and determining a modulus of elasticity analog value of the moving web material according to the tension analog values and the velocity analog values (See Cols. 3 and 4, lines 65- 67 and 1 – 19).

Regarding claim 2, the first web tension analog value and the first web velocity analog value are determined at a first location (See Col. 4, lines 26 – 31).

Regarding claims 3, 18 and 20, a speed of the moving web material is determined according to the modulus of elasticity analog value and the first web tension analog value (See Col. 4, lines 38 – 49).

Regarding claims 4, 11, 13, 14 and 19, an unwinding web velocity analog value of the moving web material 10 is determined, and a wound in tension analog value of the moving web material is determined (See Col. 5, lines 33 – 41 and 53 – 56).

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Regarding claim 5, the speed is determined when there is a change in another value (See Col. 4, lines 46 – 49).

Regarding claim 7, the modulus of elasticity analog value is determined whenever there is a change in another value (See Col. 5, lines 3 – 8).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 - 10, 12, 15, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franz in view of Scheucher.

Regarding claims 8 - 10, Franz discloses all of the limitations of these claims except for teachings that the modulus of elasticity is determined at predetermined time intervals, after the handling of a predetermined length of the moving web and according to the rotational position of the roll. However, Scheucher discloses a process for measuring the modulus of elasticity comprising a length determining means 15 which includes a probe 19, the determining means measuring a yield point or modulus of elasticity of a web 20 at predetermined time intervals (See Col. 5, lines 49 – 59), after handling the web (See Col. 5, lines 18 – 48) and in accordance with a position of rolls 7, 8 (See Col. 4, lines 43 – 59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Franz according to the teachings of Scheucher for the purposes of, providing a process for the continuous measurement of the modulus of elasticity of wires or strips to use such output data in the processing of plastics, and obtaining wires of a desired strength characteristic before a working speed has achieved its full value (See Scheucher, Col. 2, lines 58 – 64 and Col. 3, lines 35 – 41).

Regarding claims 12 and 15, Franz discloses all of the limitations of these claims except for associating a time value with the determined modulus of elasticity analog value, and storing at least the modulus of elasticity analog value with the associated time value. However, in Scheucher, a device 24 records the value of the modulus of elasticity (See Col. 5, lines 49 – 58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Franz according to the teachings of Scheucher for the purpose of, determining and recording an actual value of the yield point or modulus of elasticity (See Scheucher, Cols. 5, lines 54 – 56 and Col. 6, lines 31 – 34).

Regarding claims 16 and 17, in Franz, the velocity values are filtered to reduce a sudden change in the velocity (See Col. 4, lines 64 – 67).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Meihofer (3,912,145) discloses a web tension control system.

Cote et al (6,752,013) disclose a device and method for web tension measurement.

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Andreasson (5,485,386) discloses a method and device for the control and regulation of the stretch of a running web.

Rajala et al (6,856,850) disclose a method of controlling tension in continuous webs.

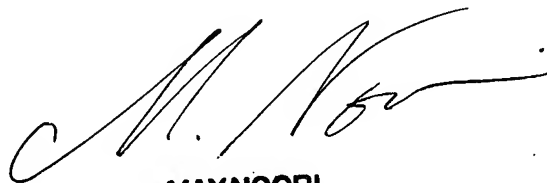
6. Any inquiry concerning this communication should be directed to examiner Octavia Davis at telephone number (571) 272 - 2176. The examiner can normally be reached on Monday - Thursdays (9:00 - 5:00), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz, can be reached on (571) 272 - 2180. The fax phone number for the organization where this application where this application or proceeding is assigned is (703) 872 - 9306.

OD

OD/2855

3/28/05



MAX NOORI
PRIMARY EXAMINER